

The PRESIDING OFFICER. Without objection, it is so ordered.

#### APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 108-176, Section 411(b)(1)(B), appoints the following individual to serve as a member of the National Commission of Small Community Air Service: Mayor Bob Corker of Chattanooga, Tennessee.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar Nos. 572, 573, 574, 575, 576, 577, 578, 579, 580, 586, 587, and all nominations on the Secretary's desk.

I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

Glyn T. Davies, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as the Political Director for the United States Presidency of the G-8.

Richard S. Williamson, of Illinois, for the rank of Ambassador during his tenure of service as Representative of the United States of America on the Human Rights Commission of the Economic and Social Council of the United Nations.

#### BROADCASTING BOARD OF GOVERNORS

Edward E. Kaufman, of Delaware, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2006.

Steven J. Simmons, of Connecticut, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2006.

#### EXECUTIVE OFFICE OF THE PRESIDENT

Feliciano Foyo, of Florida, to be a Member of the Advisory Board for Cuba Broadcasting for a term expiring August 12, 2004.

Robert Hurley McKinney, of Indiana, to be a Member of the Advisory Board for Cuba Broadcasting for a term expiring October 27, 2004.

#### OVERSEAS PRIVATE INVESTMENT CORPORATION

Sandford Gottesman, of Texas, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2005.

Diane M. Ruebling, of California, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2005.

C. William Swank, of Ohio, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2005.

#### DEPARTMENT OF THE TREASURY

Mark J. Warshawsky, of Maryland, to be an Assistant Secretary to the Treasury.

#### CENTERS FOR MEDICARE AND MEDICAID SERVICES

Mark B. McClellan, of the District of Columbia, to be Administrator of the Centers for Medicare and Medicaid Services.

#### NOMINATIONS PLACED ON THE SECRETARY'S DESK

##### COAST GUARD

Coast Guard nomination of Larry L. Jones, which was received by the Senate and appeared in the Congressional Record of January 22, 2004.

Coast Guard nominations (3) beginning Susan J. Blood, and ending Heather L. Morrison, which nominations were received by the Senate and appeared in the Congressional Record of February 11, 2004.

Coast Guard nominations (3) beginning MICHAEL P. GULDIN, and ending FELICIA K. RAYBON, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2003.

Coast Guard nominations (218) beginning Catherine A. Abella, and ending Bradley G. Winans, which nominations were received by the Senate and appeared in Congressional Record of February 5, 2004.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

#### ORDERS FOR FRIDAY, MARCH 12, 2004

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Friday, March 12. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. FRIST. Mr. President, tomorrow the Senate will be in a period of morning business. There will be no rollcall votes tomorrow, but we will be working to clear several items for passage. It has been a long day and a late night and will be an early morning, but it was a worthy effort, as we were able to complete our work on the budget. I thank everyone again.

I will make further announcements tomorrow on schedule when we return from recess.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, those of us who have spent this long day on the floor recognize that there has been an absence in our caucus—and I think both of our caucuses have noted his absence—and that is the distinguished assistant Democratic leader. Normally, he would have been moving around the floor for the last several hours, work-

ing with the managers and making sure things were done in an orderly way. Our dear friend Senator REID has attended a funeral of one of his very close friends today.

I want the RECORD to show the only reason he missed the votes and was not here to help orchestrate our successful conclusion of the budget is because of his need to be in Nevada. I thought it was important we make note of that in the RECORD.

I appreciate the majority leader yielding for that purpose.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 1:44 a.m., adjourned until Friday, March 12, 2004, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate March 11, 2004:

##### DEPARTMENT OF DEFENSE

TINA WESTBY JONAS, OF VIRGINIA, TO BE UNDER SECRETARY OF DEFENSE (COMPTROLLER), VICE DOV S. ZAKHEIM, RESIGNING.

##### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ROMOLO A. BERNARDI, OF NEW YORK, TO BE DEPUTY SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE ALPHONSO R. JACKSON.

##### CONSUMER PRODUCT SAFETY COMMISSION

THOMAS HILL MOORE, OF FLORIDA, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR A TERM OF SEVEN YEARS FROM OCTOBER 27, 2002. (REAPPOINTMENT)

##### DEPARTMENT OF THE TREASURY

JUAN CARLOS ZARATE, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE KENNETH LAWSON, RESIGNED.

##### DEPARTMENT OF STATE

LEWIS W. LUCKE, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF SWAZILAND.

EARLE I. MACK, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF FINLAND.

JACKSON MCDONALD, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUINEA.

JOHN M. ORDWAY, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KAZAKHSTAN.

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be general

LT. GEN. DAN K. MCNEILL, 4203

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be major general

BRIGADIER GENERAL JAMES J. BISSON, 6236  
BRIGADIER GENERAL RONALD G. CROWDER, 6091  
BRIGADIER GENERAL WILLIAM W. GOODWIN, 8895  
BRIGADIER GENERAL MICHAEL A. GORMAN, 3651  
BRIGADIER GENERAL ROBERT G.F. LEE, 0590  
BRIGADIER GENERAL ROBERTO MARRERO-CORLETTI, 1485  
BRIGADIER GENERAL ROBLEY S. RIGDON, 7740  
BRIGADIER GENERAL JOSEPH J. TALUTO, 0598

BRIGADIER GENERAL ARTHUR H. WYMAN, 0312

*To be brigadier general*

COLONEL FLOYD E. BELL JR., 4755  
 COLONEL JAMES A. BRUNSON, 2895  
 COLONEL JOSEPH J. CHAVES, 4075  
 COLONEL JOSEPH L. CULVER, 8597  
 COLONEL PAUL C. GENEREUX JR., 5128  
 COLONEL MARTIN L. GRABER, 3495  
 COLONEL MARK W. HAMPTON, 2917  
 COLONEL YAROPOLK R. HLADKYJ, 9285  
 COLONEL GEORGE E. IRVIN SR., 5367  
 COLONEL JAMES A. KRUECK, 5915  
 COLONEL ROGER A. LALICH, 3130  
 COLONEL JACK E. LEE, 4916  
 COLONEL RICHARD B. MOORHEAD, 6302  
 COLONEL JAMES W. NUTTALL, 3643  
 COLONEL BILLY L. PIERCE, 1657  
 COLONEL STEVER D. SAUNDERS, 3328  
 COLONEL LINWOOD M. SAWYER, 2075  
 COLONEL WILLIAM D. SCHNEIDER, 5870  
 COLONEL KING E. SIDWELL, 5791  
 COLONEL MICHAEL C. SWEZEY, 0174  
 COLONEL OMER C. TOOLEY, 2212

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. DANA D. BATEY, 5013

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. ROBERT C. DICKERSON JR., 2458  
 BRIG. GEN. TIMOTHY F. GHORMLEY, 8863  
 BRIG. GEN. SAMUEL T. HELLAND, 6309  
 BRIG. GEN. RICHARD S. KRAMLICH, 9829  
 BRIG. GEN. RICHARD F. NATONSKI, 9548

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

CHRISTINE R. GUNDEL, 6103

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR

FORCE AND FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

*To be major*

BOIKAI B. BRAGGS, 8028  
 CHRISTOPHER S. BROCKMAN, 5242  
 CHARLES W. FOX, 6168

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR ORIGINAL REGULAR APPOINTMENT AS PERMANENT LIMITED DUTY OFFICER TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5589:

*To be lieutenant*

DAVID R. AGLE, 9804

## CONFIRMATIONS

### Executive nominations confirmed by the senate March 11, 2004:

#### DEPARTMENT OF STATE

GLYN T. DAVIES, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS THE POLITICAL DIRECTOR FOR THE UNITED STATES PRESIDENCY OF THE G-8.

RICHARD S. WILLIAMSON, OF ILLINOIS, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE HUMAN RIGHTS COMMISSION OF THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS.

#### BROADCASTING BOARD OF GOVERNORS

EDWARD E. KAUFMAN, OF DELAWARE, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2006.

STEVEN J. SIMMONS, OF CONNECTICUT, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2006.

#### EXECUTIVE OFFICE OF THE PRESIDENT

FELICIANO FOYO, OF FLORIDA, TO BE A MEMBER OF THE ADVISORY BOARD FOR CUBA BROADCASTING FOR A TERM EXPIRING AUGUST 12, 2004.

ROBERT HURLEY MCKINNEY, OF INDIANA, TO BE A MEMBER OF THE ADVISORY BOARD FOR CUBA BROADCASTING FOR A TERM EXPIRING OCTOBER 27, 2004.

#### OVERSEAS PRIVATE INVESTMENT CORPORATION

SANFORD GOTTESMAN, OF TEXAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2005.

DIANE M. RUEBLING, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2005.

C. WILLIAM SWANK, OF OHIO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2005.

#### DEPARTMENT OF THE TREASURY

MARK J. WARSHAWSKY, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

#### CENTERS FOR MEDICARE AND MEDICAID SERVICES

MARK B. MCCLELLAN, OF THE DISTRICT OF COLUMBIA, TO BE ADMINISTRATOR OF THE CENTERS FOR MEDICARE AND MEDICAID SERVICES.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

#### THE JUDICIARY

LOUIS GUIROLA, JR., OF MISSISSIPPI, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF MISSISSIPPI.

NEIL VINCENT WAKE, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA.

COAST GUARD NOMINATIONS BEGINNING MICHAEL P. GULDIN AND ENDING FELICIA K. RAYBON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2003.

COAST GUARD NOMINATION OF LARRY L. JONES.

COAST GUARD NOMINATIONS BEGINNING CATHERINE A. ABELLA AND ENDING BRADLY G. WINANS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 5, 2004.

COAST GUARD NOMINATIONS BEGINNING SUSAN J. BLOOD AND ENDING HEATHER L. MORRISON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 11, 2004.